

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 3 (FIG. 3). This sheet replaces the original Figure 3 which incorporate the changes required by the Examiner. Approval by the Examiner is respectfully requested.

Attachment: Replacement Figure 3

REMARKS

Claims 1-27 are pending in the application and are rejected.

The drawings were objected to by the Examiner. Figure 3 has been corrected connecting 26 to 27. No other changes have been made. Approval by the Examiner of the changes to the drawing is respectfully requested. Formal drawings incorporating the change are also submitted herewith under separate letter to the drafts person.

Claims 1-4, 6-19 and 21-27 are rejected under 35 USC 102(b) as being anticipated by Gruzdev (2003/0002095).

By this amendment, claims 1 and 16 have been amended. Claim 1 specifies automatically applying the automatic image enhancement algorithm without user intervention. Claim 16 specifies automatically applying the selected version of the automatic image enhancement algorithm without user intervention. It is now clear that these amended claims do specify that element d of claims 1 and 16 are automatic and are performed without user intervention. Therefore, independent claims 1 and 16, the only independent claims in this case, each define subject matter that is different than that set forth in Gruzdev. The rejection of the claims under 35 USC 102(b).

The following was pointed out to the Examiner in the last response, dated March 23, 2007. The amendments to the claims now makes it clear that element d are automatic and these same arguments are relevant to the amended claims:

"Gruzdev et al. disclose a system for manually adjusting the color of an image. In paragraph [0020] of Gruzdev et al., input images may be represented by different color spaces. The method of Gruzdev et al. relies on having the image in a color space with appropriate lightness, hue and chroma attributes. Therefore, if the input image is not in an appropriate color space, they will apply a color transform to get it into such a color space [0026]. A series of user-specified adjustments are then applied to the image to provide a modified image. The adjustments may include lightness, hue and chroma adjustments, but in each case the adjustments are user-specified, and are not determined by applying an automatic algorithm to automatically determine the adjustments based on the image content. Furthermore, the adjustments that they make are a function of the user's preferences, and the characteristics of the reference color space where the adjustments are applied. But they are not, as required by claim 1, a function of the original input color space. Both of these differences are significant. There is no motivation in Gruzdev et al.

for applying an automatic enhancement algorithm having parameters that are adjusted as a function of the original input color space. The adjustments in Gruzdev et al. are all user-specified manual adjustments, and there is no mention or reason suggested by Gruzdev et al. to make different adjustments as a function of the original color space of the input digital image. Claims 1 and 16 are believed to contain unobvious subject matter, and are believed to be allowable."

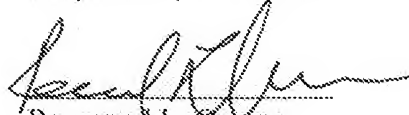
Claims 5 and 20 are rejected under 35 USC 103(a) as being unpatentable over Gruzdev in view of Capitani (US 5,321,500).

Gruzdev et al. has been discussed above. Capitani et al. does a reverse sensitometry function, but does not disclose, suggest or provide any motivation for the automatic enhancement algorithm, or for adjustments to such algorithm based upon the color space of the original image. Therefore, claims 5 and 20 should also be allowed along with claims 1 and 16.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



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Enclosure

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

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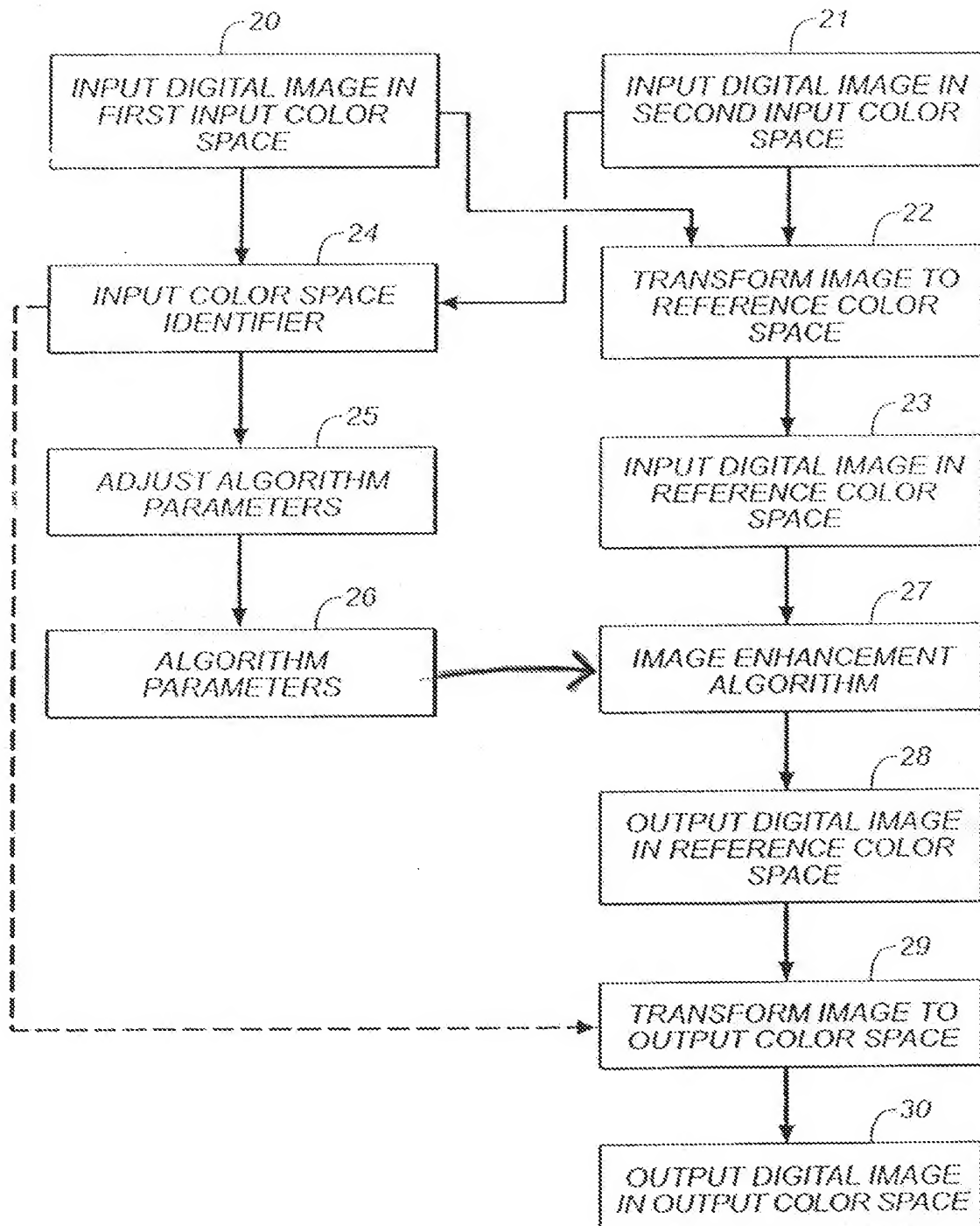


FIG. 3